

**MINUTES OF A MEETING OF THE
REGULATORY SERVICES COMMITTEE
Havering Town Hall, Main Road, Romford
14 May 2015 (7.30pm - 10.55 pm)**

Present:

COUNCILLORS:	10
Conservative Group	Steven Kelly (in the Chair) +Joshua Chapman, +Frederick Thompson and +Melvin Wallace
Residents' Group	Stephanie Nunn and Reg Whitney
East Havering Residents' Group	Linda Hawthorn and Ron Ower
UKIP Group	Phil Martin
Independent Residents Group	Graham Williamson

Apologies were received for the absence of Councillors Robby Misir, Ray Best and Philippa Crowder.

+Substitute members: Councillor Melvin Wallace (for Robby Misir), Councillor Frederick Thompson (for Ray Best) and Councillor Joshua Chapman (for Philippa Crowder).

Councillors Gillian Ford, Jody Ganly, Julie Wilkes and David Durant were also present for parts of the meeting.

50 members of the public and a representative of the Press were present.

Unless otherwise indicated all decisions were agreed with no vote against.

Through the Chairman, announcements were made regarding emergency evacuation arrangements and the decision making process followed by the Committee.

254 MINUTES

The minutes of the meetings held on 2 April and 23 April 2015 were agreed as correct records and signed by the Chairman.

255 **P0235.15 - 1B SUNNYSIDE GARDENS, UPMINSTER**

The report before Members proposed a change of use of the existing single storey office building (A2 use) to a drinking establishment (A4 use). It was proposed to operate as a 'micro pub' which was a small free-house selling mainly traditional beer and ciders.

There would be no electronic music, television or hot food preparation. The proposed opening would be 11:00 hours to 23:00 hours and the bar would employ two full time and three part time staff. No external seating or parking was proposed.

The application had been called in by Councillors Ron Ower and Linda Van den Hende for the following reasons:

- Inappropriate use in the area which was primarily residential;
- There were flats immediately adjacent to the site;
- Parking in Sunnyside Gardens was already difficult. The exit from the petrol station opposite the site was already hindered by parked cars and there was a need to keep the adjacent access to an undertakers clear;
- Noise from drinkers and smokers standing outside;
- Most customers would use cars rather than walk to the premises;
- An increase in traffic using Sunnyside Gardens.

Members were advised that an e-petition had been received, objecting to the proposal, that had one hundred and five signatories.

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response from the applicant's representative.

The objector commented that the application site had a history of previous planning refusals and the current proposal did not fit in with the Local Development Framework. The objector also commented that there were inaccuracies contained within the application, the main one being the wrong address, which had subsequently been amended but could have caused confusion. The objector also commented on the impact the proposal would have on the local amenity which would be harmed by additional noise, parking problems and anti-social behaviour.

In response the applicant's representative commented that the application site was of single storey and therefore would not have any impact on residents living above and that the location was of a town centre nature as opposed to a residential one. The applicant's representative also commented that there had been local support for the proposal from both residents and businesses and that there would only be space for one car to park on the premises as access was needed to the rest of the site for deliveries.

During the debate members discussed the possible impact on the amenity of the residents in Sunnyside Gardens and the possibility of displaced parking in the area.

Members also discussed the fact that the proposal was a new venture in the location and therefore it was being imposed on neighbours who currently enjoyed a semi-residential amenity.

Members also discussed the other drinking establishments in Upminster which were both located in the main shopping area and questioned whether the proposed application was out of keeping with the current streetscene.

The report recommended that planning permission be granted however, following a motion to refuse the granting of planning permission which was carried by 9 votes to 0 with 1 abstention it was **RESOLVED** that the granting of planning permission be refused for the following reasons;

By reason of its location which was close to residential properties noise and disturbance arising from the use of the premises and associated pedestrian and vehicular activity in Sunnyside Gardens the proposal would materially harm residential amenity.

Inadequate on-site parking would create levels of on-street parking and vehicular movements materially harmful to residential amenity and highway safety due to its proximity to the junction of Sunnyside gardens and St Mary's Lane.

The vote for the resolution to refuse planning permission was carried by 9 votes to 0 with 1 abstention.

Councillor Martin abstained from voting.

256 **P0082.15 - 23 DORIAN ROAD, HORNCHURCH**

The application before Members sought planning permission for an outbuilding at the rear of the garden to be used as a playroom/gym and for the storage of tools.

Members noted that the application had been called in by Councillor Jody Ganly on the grounds that the scale of the outbuilding was too large for a playroom/gym with concerns raised also due to the excessive amount of concrete that had been laid within the garden area.

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response from the applicant's representative.

The objector commented that the proposed size of the outbuilding gave concern to neighbouring residents as it appeared excessive for a

playroom/gym. The objector also commented that the applicant proposed to park two large vans on the premises which would be very close to the boundary with number twenty five Dorian Road.

In response the applicant's representative commented that the outbuilding was to be used as a playroom/gym and also for the storage of the applicant's tools overnight.

With its agreement Councillor Jody Ganly addressed the Committee.

Councillor Ganly commented that she was speaking on behalf of the residents of Dorian Road and Guardian Close who had expressed concerns regarding the size and bulk of the proposed outbuilding. Councillor Ganly also commented on the proposed outbuilding's size, possible detracting from the streetscene, possible commercial use and also advised that the proposal should be incidental to the dwelling.

During the debate Members discussed the size and bulk of the outbuilding and received clarification from officers regarding Permitted Development rights and the need for planning permission in this instance.

Members also received clarification as to whether the proposal could be conditioned to restrict its use to residential only as there were concerns that the building could in future be used for commercial purposes.

The report recommended that planning permission be approved however, following a motion to refuse the granting of planning permission which was carried by 8 votes to 1 with 1 abstention it was **RESOLVED** that planning permission be refused for the following reasons;

The size and bulk of the development created an intrusive feature, harmful to the rear garden scene and visual amenity.

The building size was likely to lead to use and associated external activities not normally associated with a domestic rear garden setting and creating uncharacteristically excessive levels of noise and disturbance harmful to the amenity.

The vote for the resolution to refuse planning permission was carried by 8 votes to 1 with 1 abstention.

Councillor Wallace voted against the resolution to refuse the granting of planning permission.

Councillor Kelly abstained from voting.

257 **P0096.15 - 143 NORTH STREET (REAR OF), ROMFORD**

The planning application before Members proposed the demolition of the site's existing buildings and the erection of forty flats based in two flat-roofed blocks.

The application had been called in to Committee by Councillor Steven Kelly on the basis that the proposal was a major development of forty flats and should not be decided under delegated powers; that the reason for refusal was access and as this was a site with heavy industrial usage residential usage would be less; and that this was a poor area in need of development.

During a brief debate members discussed the access/egress arrangements to the site and raised concerns over the narrowness of the access road and the visibility afforded to drivers when exiting the access road.

Members commented that the area was in need of tidying up and agreed that the proposal was of a modest nature and would improve the amenity of the area.

The report recommended that planning permission be refused however, following a motion to grant planning permission it was **RESOLVED** to delegate to the Head of Regulatory Services to negotiate with the applicant a solution to achieve:- satisfactory entrance and egress visibility; a section 106 contribution for infrastructure impact; and a review mechanism for affordable housing and if these were satisfactorily resolved and the 106 completed, the Head of Regulatory Services to then grant planning permission subject to conditions to be decided by the Head of Regulatory Services. In the event of the Head of Regulatory Services being unable to satisfactorily secure the above then the application to come back to the Committee for determination.

258 **P0267.15 - 23 TEMPEST WAY, RAINHAM**

The application before Members sought planning permission for a part single storey, part two storey rear extension and the subsequent subdivision of the dwelling house to two, one bedroom self-contained units with private amenity space to the rear.

The application had been called in by Councillor Julie Wilkes on the grounds of;

- Conversion to maisonettes would be out of character and would result in a greater noise disturbance
- Two storey rear extension would spoil the open view of the rear gardens and impact on privacy
- Inadequate provision of parking
- Overdevelopment

In accordance with the public speaking arrangements the Committee was addressed by an objector with a response by the applicant.

The objector commented that the proposal would affect the natural light afforded to the neighbouring property and was out of character with the streetscene. The objector also commented that there would be a loss of amenity to neighbouring properties and additional noise created from splitting the property in to two dwellings.

In response the applicant commented that the proposal was recommended for approval by officers and that the proposed dwelling was not out of keeping with the streetscene. The applicant also commented that the possibility of additional noise form the dwelling was just an assumption and that there would be no reduction in the amount of light afforded to adjacent properties.

With its agreement Councillor Julie Wilkes addressed the Committee.

Councillor Wilkes commented that the proposal was out of character with the streetscene and was also an overdevelopment of the site. Councillor Wilkes also commented that the gardens attached to the properties were not large and that the proposal would shorten the garden of the application site by some distance and would affect the amenity and be detrimental to the neighbouring properties.

During the debate members discussed the fenestration arrangements for the proposed dwelling and were advised that there were no flank windows to the property.

Members also received clarification from officers regarding the proposed layout of the dwelling which was shown as having one bedroom and one study per property as opposed to two bedrooms per property which had been previously applied for in an earlier application.

Members also discussed the parking provision proposed for the dwelling. The report recommended that planning permission be approved however, following a motion to refuse the granting of planning permission it was **RESOLVED** that planning permission be refused for the following reasons;

Inadequate amenity space for future occupants.

By reason of the particularly limited depth of adjoining rear gardens to the South of the site, the extension would by reason of its bulk and position appear overbearing and harmful to amenity.

Failure to provide a section 106 agreement to secure contribution for infrastructure impact.

259 **P0283.15 - UPMINSTER RFC, HALL LANE UPMINSTER**

The application before Members concerned the erection of 6 thirteen metre lighting columns to illuminate a rugby pitch and training area within Upminster Hall Park for both matches and training. The lighting columns would replace existing mobile lighting units.

Members noted that the application had been called in by Councillor Gillian Ford on the grounds of the potential impact on a large number of residential properties.

With its agreement Councillor Gillian Ford addressed the Committee.

Councillor Ford commented that local residents had expressed concerns over light spill from the floodlight columns and also that the floodlights would detract from the open nature of the park.

During a brief debate members discussed the hours of operation of the floodlights and the distances from neighbouring properties.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

260 **P0106.15 - 151 AVON ROAD, UPMINSTER**

The application before Members sought full planning permission for a new A1 single storey shop kiosk style unit on vacant land adjoining 151 Avon Road.

The application had been called in by Councillor Gillian Ford on the grounds that the application was totally out of keeping with the street scene. There was no requirement for such a venue in the area and the impact on a busy road junction.

With its agreement Councillor Gillian Ford addressed the Committee.

Councillor Ford commented that there had been previous applications on the site which had all been refused by the Committee and subsequently by the Planning Inspectorate. Councillor Ford also commented that the proposal was out of keeping with the streetscene and impacted heavily on the openness of the road junction between Avon Road and Front Lane.

During a brief debate Members discussed the loss of amenity to the area, loss of trees and the loss of sightline at the road junction.

The report recommended that planning permission be approved however, following a motion to refuse the granting of planning permission which was carried by 8 votes to 2 it was **RESOLVED** that planning permission be refused for the following reasons;

The single storey addition by reason of its scale and design was a weak visual addition to the main building, the discordant relationship would also harm the visual amenity/streetscene. The proposal would result in loss of an existing open area which by reason of its setting for the main 3 storey parade, would result in a cramped impact harmful to the junction and character of the streetscene.

The vote for the resolution to refuse planning permission was carried by 8 votes to 2.

Councillors Kelly and Thompson voted against the resolution to refuse the granting of planning permission.

261 **P0245.15 - 2 SPRINGFIELD GARDENS, UPMINSTER**

The application before Members sought retrospective planning permission for an outbuilding to be used as a playroom/gym/sauna/shower/wc room and office.

Members noted that the application had been called in by Councillor Linda Hawthorn who wished the proposal to be discussed by the Committee in case the granting of planning permission set a precedent.

During a brief debate Members discussed the size of the proposed outbuilding and whether granting planning permission would set a precedent.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was carried by 8 votes to 2.

Councillors Hawthorn and Ower voted against the resolution to grant planning permission.

262 **P1578.14 - THE PADDOCKS, MOOR HALL FARM, AVELEY**

The planning application before Members proposed the importation of around 50,000 cubed metres of material to restore land located within Thurrock.

The application site comprised around seven hectares of open grassland located within the borough of Thurrock, along with land located within Havering, which would be used to provide vehicular access to the land in Thurrock, where the main development activities would be undertaken. The access through the land in Havering would be taken from New Road,

through the Ingrebourne Links Golf Course (under construction), and through the eastern perimeter of the golf course into Thurrock.

Consideration of the item was deferred by Members at the 5 March 2015 meeting for further information to be provided. The applicant had provided the additional information as requested.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented there were several live and pending applications in the area that were not yet implemented and that there were concerns regarding the cumulative impact of vehicular journeys being proposed by the various applications. Councillor Durant also commented on the dirty condition of the roads surrounding the application sites which were still not being cleaned to an acceptable level. Councillor Durant also commented that although the golf course would eventually be an asset to the borough it was time to perhaps reconsider whether any more landfill sites be allowed in the south of the borough.

During a brief debate members discussed the applicant's response which had seemed slightly dismissive of the Committee's concerns regarding the condition of the roads in the area.

The report recommended that planning permission be granted however, following a motion to refuse the granting of permission which was carried by 8 votes to 2 it was **RESOLVED** that the granting of planning permission be refused on the grounds;

The use would generate an increase in lorry movements materially harmful to the highway safety conditions on the A1306.

Councillors Kelly and Thompson voted against the resolution to refuse the granting of planning permission.

263 **P1637.14 - LITTLE GERPINS 2 (FISHERS), BERWICK POND ROAD, RAINHAM**

The report before Members sought planning permission for engineering earthworks to remediate damaged land. The scheme would be using imported inert soils, including temporary treatment, improved access, internal roads, ancillary plant and buildings and overnight security to provide a managed woodland area with recreational and amenity after use.

With its agreement Councillor David Durant addressed the Committee.

Councillor Durant commented that the planned route involved lorries using Berwick Pond Road which was unsuitable for vehicles of this nature. Councillor Durant also commented that the applicant had been refused

permission by Thurrock County Council to use their roads and was now seeking permission from Havering.

During a brief debate Members discussed the number of lorry movements using the site.

Officers also clarified that Council's Highways officers had not raised any objections to the proposal.

It was **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

The vote for the resolution to grant planning permission was carried by 7 votes to 3.

Councillors Whitney, Martin and Williamson voted against the resolution to grant planning permission.

264 **P0390.15 - 22 EASTERN ROAD (BLACKBURN HOUSE), ROMFORD - PROPOSED CHANGE OF USE FROM B1 SOLICITORS OFFICE TO D1 CLINICAL RESEARCH CENTRE.**

The Committee considered the report and without debate **RESOLVED** that planning permission be granted subject to the conditions as set out in the report.

265 **P0049.15 - MOSS LANE NURSERY, MOSS LANE, ROMFORD - A MIXED DEVELOPMENT OF RESIDENTIAL HOUSING COMPRISING THREE 2 BEDROOM HOMES, TWO 3 BEDROOM HOMES AND TWO 4 BEDROOM HOMES**

The Committee considered the report noting that the proposed development qualified for a Mayoral CIL contribution of £2,680 and **RESOLVED** to Delegate to the Head of Regulatory Services to grant planning permission subject to the determination of whether to seek a contribution for infrastructure projects and the quantum of any such contribution.

266 **APPLICATION FOR THE STOPPING UP OF AND DIVERSION OF PUBLIC FOOTPATH 198 ADJACENT TO ST MARY'S LANE UPMINSTER**

The Committee considered the report and without debate **RESOLVED** that subject to the developer paying the Council's reasonable charges in respect of the making of, consultation for, advertising of, and any inquiry costs associated with and the confirmation of the Stopping Up Order should the application be considered by the Secretary of State:-

The Council makes a Stopping Up Order under the provisions of s.257 Town and Country Planning Act (as amended) in respect of the section of Public Footpath 198 to be stopped up shown by continuous black bold line on the attached Plan as the land was required to enable development to be carried out for which the Council has granted the Planning Permission and the diversion of a new section of Footpath 198 is shown by a dashed bold black line on the plan.

In the event that no relevant objections were made to the proposal or that any relevant objections that were made are withdrawn then the Order be confirmed without further reference to the Committee.

In the event that relevant objections were raised and are not withdrawn following an opportunity to negotiate the matter may be referred to the Secretary of State for their determination unless the application is withdrawn.

The proposed stopping up and diversion relates respectively to a section of Public Footpath 198 shown by continuous bold black line on the plan and an area of diverted footpath shown by a dashed bold black line on the plan. The proposed stopping up and diversion are required to facilitate the implementation of development pursuant to the Planning Permission (reference P1220.14).

267 **APPLICATION FOR THE STOPPING UP OF HIGHWAY LAND AT ONGAR WAY GARAGES, RAINHAM**

The Committee considered the report and without debate **RESOLVED** that subject to the developer paying the Council's reasonable charges in respect of the making of, advertising of, any inquiry costs associated with and the confirmation of the Stopping Up Order pursuant to Regulation 5 of The London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 that:-

The Council makes a Stopping Up Order under the provisions of s.247 Town and Country Planning Act (as amended) in respect of the area of adopted highway shown zebra hatched on the Plan as the land was required to enable development for which the Council had granted the Planning Permission.

In the event that no relevant objections were made to the proposal or that any relevant objections that were made were withdrawn then the Order be confirmed without further reference to the Committee.

In the event that relevant objections were made, other than by a Statutory Undertaker or Transport Undertaker and not withdrawn, that the application be referred to the Mayor for London to determine whether or not the Council can proceed to confirm the Order.

In the event that relevant objections were raised by a Statutory Undertaker or Transport Undertaker and were not withdrawn the matter may be referred to the Secretary of State for their determination unless the application was withdrawn.

268 **SUSPENSION OF STANDING ORDERS**

During the discussion of the reports the Committee **RESOLVED** to suspend Committee Procedure Rule 8 in order to complete the consideration of the remaining business of the agenda.

Chairman